

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

JAMIE HOFF, )  
 )  
 Plaintiff, ) Case No.  
 )  
 v. ) St. Charles County Circuit Court  
 ) Cause No. 1211-AC05818  
 NCO FINANCIAL SERVICES, INC. )  
 ) **JURY TRIAL DEMANDED**  
 Defendant. )

**NOTICE OF REMOVAL**

Please take notice that, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, defendant NCO Financial Systems, Inc. (erroneously referred to by plaintiff as “NCO Financial Services, Inc.” and hereinafter referred to as “NCO”) hereby removes the above-captioned civil action from the 11<sup>th</sup> Judicial Circuit Court, Associate Division, St. Charles County, State of Missouri (hereinafter referred to as “the State Court”) to the United States District Court for the Eastern District of Missouri. The removal of this civil action is proper, because:

1. On or about August 13, 2012 plaintiff Jamie Hoff, through her attorneys, initiated in the State Court a civil action entitled “*Jamie Hoff, Plaintiff, v. NCO Financial Services, Inc., Defendant,*” No. 1211-AC05818 on the docket of the State Court (hereinafter referred to as “the State Court Action”) by filing a “Petition” (a copy of which is appended hereto as “Exhibit A”) and a “Request for Appointment of Process Server” (a copy of which is appended hereto as “Exhibit B”).

2. On or about August 13, 2012 the State Court clerk granted plaintiff's request for appointment of a process server and entered a second copy of plaintiff's "Request for Appointment of Process Server" as signed by the clerk (a copy of which is appended hereto as "Exhibit C")

3. On or about August 13, 2012 the State Court clerk entered a standing order of the Presiding Judge of the State Court entitled "In the Eleventh Judicial Circuit Court of Missouri, Circuit Judge Division" (a copy of which is appended hereto as "Exhibit D"), effecting the assignment of the State Court Action to a division of the State Court.

4. On or about August 13, 2012 the State Court clerk issued an "Associate Division Summons" directed to NCO (a copy of which is appended hereto as "Exhibit E").

5. Exhibit A, Exhibit B, Exhibit C, Exhibit D, Exhibit E and Exhibit F, appended hereto, respectively, are true and correct copies of all process, pleadings, and orders filed and entered by the plaintiff and the State Court and served upon defendant NCO in the State Court Action.

6. On or about August 20, 2012 plaintiff, through her attorneys, served on NCO, through NCO's agent for service of process, CT Corporation, the Associate Division Summons (Exhibit E) and a copy of the Petition (Exhibit A), as reflected in the CT Corporation "Service of Process Transmittal" that CT Corporation sent to NCO (a copy of which is appended hereto as "Exhibit G"), together with the summons and petition.

7. Plaintiff Jamie Hoff's claim against NCO is based upon the U.S. Fair Debt Collections Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter referred to as the "FDCPA").

8. Pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over Plaintiff's claim, because the petition filed in the State Court Action presents a federal question arising under the FDCPA.

9. Pursuant to 28 U.S.C. § 1441(a), the State Court Action is removable to this Honorable Court, because it is a civil action, brought in state court, over which the district courts of the United States have original jurisdiction.

10. NCO is filing this Notice of Removal timely under 28 U.S.C. § 1446(b), because NCO is filing it within thirty (30) days after NCO's receipt of the initial pleading setting forth the claim for relief by Plaintiff.

11. NCO is serving a copy of this Notice of Removal upon Plaintiff, through her attorneys and is concurrently filing with the clerk of court for the State Court a Notice of Filing Notice of Removal ("Exhibit H") which itself has attached to it a copy of this Notice of Removal.

WHEREFORE, Defendant NCO hereby removes the State Court Action to this Honorable Court.

Respectfully submitted,

/s/ Edward S. Meyer  
Edward S. Meyer #3849MO  
PITZER SNODGRASS, P.C.  
Attorneys for Defendant,  
NCO Financial Systems, Inc.  
100 South Fourth Street, Suite 400  
St. Louis, Missouri 63102-1821  
Telephone: (314) 421-5545  
Facsimile: (314) 421-3144  
Email: meyer@rpslaw.com

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the above and foregoing **NOTICE OF REMOVAL** was filed electronically with the Clerk of the Court on September 18, 2012, to be served by operation of the Court's electronic filing system, or by U.S. Mail for parties not registered with CM/ECF, upon the following on September 17, 2012:

Richard A. Voytas, Jr.  
James W. Eason  
Eason & Voytas  
Attorneys for Plaintiff  
1 North Taylor Avenue  
St. Louis, MO 63108

/s/ Edward S. Meyer

STATE OF MISSOURI      )  
                            )  
                            ) ss  
CITY OF ST. LOUIS      )

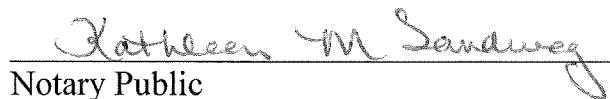
Edward S. Meyer, first duly sworn upon his oath, states that he is agent and attorney for Defendant NCO Financial Systems, Inc. in this behalf; that he has read the foregoing Notice of Removal and knows the contents thereof; and that the statements therein contained are true to the best of his knowledge, information and belief.



---

Edward S. Meyer #3849MO  
PITZER SNODGRASS, P.C.  
Attorneys for Defendant,  
NCO Financial Systems, Inc.  
100 South Fourth Street, Suite 400  
St. Louis, Missouri 63102-1821  
Telephone: (314) 421-5545  
Facsimile: (314) 421-3144  
Email: meyer@rpslaw.com

Subscribed and sworn before me this 17<sup>th</sup> day of September, 2012.

  
Notary Public

My Commission Expires:

